

Mineral re-
sources.

SEC. 6. All withdrawals or reservations of public lands for the use of any agency of the Department of Defense, except lands withdrawn or reserved specifically as naval petroleum, naval oil shale, or naval coal reserves, heretofore or hereafter made by the United States, shall be deemed to be subject to the condition that all minerals, including oil and gas, in the lands so withdrawn or reserved are under the jurisdiction of the Secretary of the Interior and there shall be no disposition of, or exploration for, any minerals in such lands except under the applicable public land mining and mineral leasing laws: *Provided*, That no disposition of, or exploration for, any minerals in such lands shall be made where the Secretary of Defense, after consultation with the Secretary of the Interior, determines that such disposition or exploration is inconsistent with the military use of the lands so withdrawn or reserved.

Approved February 28, 1958.

Public Law 85-338

AN ACT

March 4, 1958
[S. 969]

To prescribe the weight to be given to evidence of tests of alcohol in the blood, urine, or breath of persons tried in the District of Columbia for certain offenses committed while operating vehicles.

D. C. alcohol
tests, evidence.

43 Stat. 1124.

49 Stat. 385.

31 Stat. 1321.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) if as a result of the operation of a vehicle, any person is tried in any court of competent jurisdiction within the District of Columbia for (1) operating such vehicle while under the influence of any intoxicating liquor in violation of section 10 (b) of the District of Columbia Traffic Act, 1925, approved March 3, 1925, as amended (D. C. Code, title 40, sec. 609), (2) negligent homicide in violation of section 802 (a) of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D. C. Code, title 40, sec. 606), or (3) manslaughter committed in the operation of such vehicle in violation of section 802 of such Act approved March 3, 1901 (D. C. Code, title 22, sec. 2405), and in the course of such trial there is received in evidence, based upon a chemical test, competent proof to the effect that at the time of such operation—

(1) defendant's blood contained five one-hundredths of 1 per centum or less, by weight, of alcohol, or that an equivalent quantity of alcohol was contained in two thousand cubic centimeters of his breath (true breath or alveolar air having $5\frac{1}{2}$ per centum of carbon dioxide), or that defendant's urine contained eight one-hundredths of 1 per centum or less, by weight, of alcohol, such proof shall be deemed prima facie proof that defendant at such time was not under the influence of any intoxicating liquor;

(2) defendant's blood contained more than five one-hundredths of 1 per centum, but less than fifteen one-hundredths of 1 per centum, by weight, of alcohol, or that an equivalent quantity of alcohol was contained in two thousand cubic centimeters of his breath (true breath or alveolar air having $5\frac{1}{2}$ per centum of carbon dioxide), or that defendant's urine contained more than eight one-hundredths of 1 per centum, but less than twenty one-hundredths of 1 per centum, by weight, of alcohol, such proof shall constitute relevant evidence, but shall not constitute prima facie proof that defendant was or was not at such time under the influence of any intoxicating liquor; and

(3) defendant's blood contained fifteen one-hundredths of 1 per centum or more, by weight, of alcohol, or that an equivalent quantity of alcohol was contained in two thousand cubic centimeters of his breath (true breath or alveolar air having 5½ per centum of carbon dioxide), or that defendant's urine contained twenty one-hundredths of 1 per centum or more, by weight, of alcohol, such proof shall constitute prima facie proof that defendant at such time was under the influence of intoxicating liquor.

(b) Upon the request of the person who was tested, the results of such test shall be made available to him.

(c) Only a physician acting at the request of a police officer can withdraw blood for the purpose of determining the alcoholic content therein. This limitation shall not apply to the taking of a urine specimen or the breath test.

(d) The person tested shall be permitted to have a physician of his own choosing administer a chemical test in addition to the one administered at the direction of the police officer.

SEC. 2. Nothing in this Act shall be construed to require any person to submit to the withdrawal of blood, the taking of a urine specimen from him, or to a breath test.

Tests not required.

Approved March 4, 1958.

Public Law 85-339

AN ACT

To direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada.

March 6, 1958
[S. 1558]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

Colorado River
Commission, Nev.
Conveyance.
Definitions.

(a) The term "Secretary" shall mean the Secretary of the Interior.

(b) The term "Commission" shall mean the Colorado River Commission of the State of Nevada.

(c) The term "State" shall mean the State of Nevada.

(d) The term "transfer area" shall mean all lands or interests in lands owned by the United States and located within the exterior boundaries of the area described in section 2 of this Act.

SEC. 2. The Secretary is hereby authorized and directed to segregate from all forms of entry under the public land laws of the United States, during a period of five years from and after the effective date of this Act, the following described lands, situated in the State of Nevada and comprising approximately 126,775 acres:

(1) All of south half, township 23 south, range 63 east, with the exception of the following areas: east half section 22; four five-acre tracts located in section 26 and described as follows: south half south-east quarter northwest quarter northwest quarter, north half northwest quarter southwest quarter northwest quarter, north half southwest quarter northeast quarter northwest quarter and south half southwest quarter northwest quarter northwest quarter; and those portions of the northeast quarter section 23, and north half section 24, within the Lake Mead national recreation area.

(2) Fractional sections 25 and 36, township 23 south, range 63½ east.

(3) All of sections 27, 28, 29, 30, 31, 32, 33, and 34, township 23 south, range 64 east.

(4) Fractional sections 31, 32, 33, 34, and 35, township 23½ south, range 64 east.